IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

Bail Appl..No. 6745 of 2007()

CMP.2917/2007 of MUNI-MAGI.COURT,MANNARKAD
CRIME NO.42/07 OF AGALI EXCISE RANGE

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: PETITIONER/ACCUSED

JAYAKUMAR,S/O.CHINNATHAMPI, AGED 34 YEAR
PUTHENVEETTIL, KOOKKAMPALAYAM, AGALI,
MANNARKAD.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS:

EXCISE INSPECTOR , AGALI EXCISE RANGE
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6745 of 2007

Dated this the 6th day of November, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to keep in his possession 22.5 litres of arrack when he was arrested on 4.10.07. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has 2 other cases under the Kerala Abkari Act also against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is given reasonable time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 15.11.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months from the date of release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-